

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F032530 Norcal Realty Partners, et al. v. Bakersfield Fitness & Development, et al.

The judgment is affirmed. Respondents' motion for sanctions is denied. Respondents shall recover their costs on appeal. Dibiaso, Acting P.J.

We concur: Harris, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F033383 People v. Henderson

The judgment of conviction is affirmed. The judgment of sentence is vacated. The case is remanded. On remand, if the People do not file in the trial court and serve on Henderson, within 30 calendar days after the date the remittitur is filed in this court, a motion to set a rehearing on the 1993 section 245(c) prior strike and serious felony allegations, the trial court shall forthwith resentence Henderson in a manner not inconsistent with this opinion. If the People timely file and serve such a motion, the trial court shall rehear the allegation at the time and place set by the trial court and shall, after such rehearing, resentence Henderson as may be appropriate. The trial court on remand shall insure that the abstract of judgment correctly and accurately records the sentence and the corresponding statutory authority. Dibiaso, Acting P.J.

We concur: Harris, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F037899 People v. Tapia

Good cause appearing therefore, the duplicate appeal received by this court on April 6, 2001 and number F037899 is dismissed.

F033766 People v. Ramirez

The judgment is affirmed. Buckley, J.

We concur: Ardaiz, P.J.; Dibiaso, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F034987 People v. Massey

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F034987 People v. Massey

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F035991 People v. Ford

F038002 In re David Tyrone Ford on Habeas Corpus

On its own motion and after notice to the parties, the court orders the captioned matters administratively consolidated but only pending further order of this court on this issue.

F034255 People v. Tash

The sentence is modified to award appellant 32 days presentence conduct and worktime credit. As so modified, the judgment is affirmed. The trial court shall prepare an amended abstract of judgment to reflect the presentence conduct and worktime credits and forward copies of the amended abstract of judgment to all appropriate authorities. Harris, J.

We concur: Vartabedian, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]